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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,090	03/04/2004	Dong-Hoon Kim	6192.0331.US	4090
32605	7590	06/21/2006	EXAMINER	
MACPHERSON KWOK CHEN & HEID LLP 1762 TECHNOLOGY DRIVE, SUITE 226 SAN JOSE, CA 95110			HAN, JASON	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/792,090	KIM ET AL.	
	Examiner	Art Unit	
	Jason M. Han	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to Claims 1-20 have been considered but are moot in view of the new ground(s) of rejection, whereby Applicant's cancellation of Claims 1-20 to be replaced with the new set of Claims 21-41 necessitated the new grounds of rejection.
2. The prior art of Large (U.S. Patent 6,043,936) is still relied upon for the prismatic concavo-convex surfaces, and is considered commensurate to the scope of the claim as stated by the Applicant and as broadly interpreted by the Examiner [MPEP 2111].

### ***Election/Restrictions***

3. Newly submitted Claims 33-37 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The subject matter of the claims are drawn to a different type of light guide that has a plurality of variable prismatic surfaces based upon two opposed edge light sources (e.g., plurality of second prisms identified in Claims 35-36).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, Claims 33-37 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### ***Claim Objections***

4. Claim 24 is objected to because of the following informalities: Typographical error: sentence does not end with a period. Appropriate correction is required.
5. Claim 38 is objected to because of the following informalities: Applicant recites the limitation, "a first light control pattern", which should read as "a first prism pattern" to be consistent in language following thereafter. Appropriate correction is required.

### ***Double Patenting***

6. Claim 37 is objected to under 37 CFR 1.75 as being a substantial duplicate of Claim 34. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).
7. Claim 31 is objected to under 37 CFR 1.75 as being a substantial duplicate of Claim 38. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

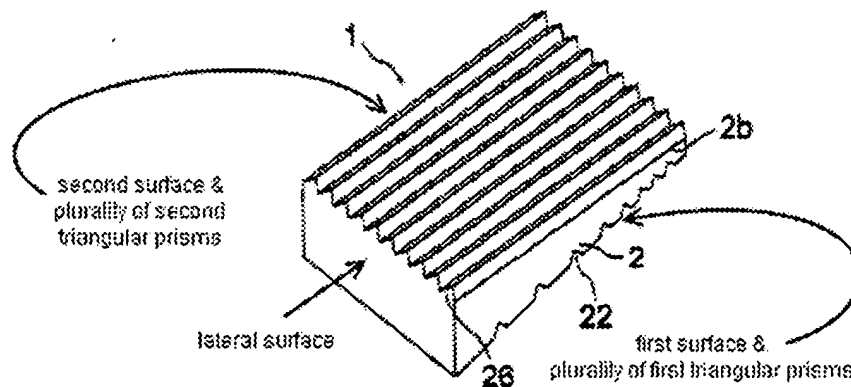
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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 21-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kohara et al. (U.S. Patent 6,633,722 B1).

9. With regards to Claim 21, Kohara discloses a light guide plate including:

- First and second main surfaces facing each other [Figures 9-11];



- At least one lateral surface [Figures 9-11] connecting the first and second main surfaces;
- A plurality of first triangular surfaces [Figures 9-11: (22)] formed on the first main surface and aligned in a row to a first direction, each having a first vertex angle [Figure 3; Column 16, Lines 5-21]; and
- A plurality of second triangular surfaces [Figures 9-11: (26, 261)] formed on the second main surface and aligned in a row to a second direction, each having a second vertex angle different from the first vertex angle [Figure 10; Column 22, Lines 13-14].

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10. With regards to Claim 22, Kohara discloses the first vertex angle being obtuse [Column 16, Lines 5-21].

11. With regards to Claim 23, Kohara discloses the first vertex angle ranging from about 100 degrees to about 120 degrees [Column 16, Lines 5-21].

12. With regards to Claim 24, Kohara discloses the first vertex angle being about 108 degrees [Column 16, Lines 5-21].

13. With regards to Claim 25, Kohara discloses the second vertex angle being obtuse [Column 22, Lines 13-14].

14. With regards to Claim 26, Kohara discloses the second vertex angle ranging from about 120 degrees to about 140 degrees [Column 22, Lines 13-14].

15. With regards to Claim 27, Kohara discloses the second vertex angle being about 135 degrees.

16. With regards to Claim 28, Kohara discloses the second direction being substantially perpendicular to the first direction [Figures 9-11].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohara et al. (U.S. Patent 6,633,722 B1).

*See MPEP § 2131.02. A 35 U.S.C. 102 /103 combination rejection is permitted if it is unclear if the reference teaches the range with "sufficient specificity."*

Kohara discloses the claimed invention as cited above, but it is not clear if the reference of Kohara teaches the range with "sufficient specificity".

Since the ranges disclosed within the claims fall within the broad range identified by Kohara, there is an anticipation of the vertex angles identified in appropriately affecting the illumination within the light guide. However, it remains obvious, if the reference does not teach the range with "sufficient specificity", to one having ordinary skill in the art at the time the invention was made to provide a narrower range or value within the broad range of Kohara in order to optimize or appropriately affect the illumination according to a user's preference. It has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

18. Claims 29-30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohara et al. (U.S. Patent 6,633,722 B1) as applied to Claim 21 above, and further in view of Large (U.S. Patent 6,043,936).

19. With regards to Claim 29, Kohara discloses the claimed invention as cited above, but does not specifically teach at least one of the plurality of first triangular prisms having a first prism surface and a second prism surface, wherein the first prism surface and the second prism surface includes a concavo-convex pattern (re: Claim 29); wherein the concavo-convex pattern has a triangular prism shape (re: Claim 30); nor wherein the concavo-convex pattern has a rounded corner (re: Claim 32).

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Large teaches a light guide plate having a plurality of first prisms [Figure 1: (2)] including first and second prism surfaces [Figures 1&4: (5)] with concavo-convex patterns. In addition, Large teaches the concavo-convex pattern being a triangular prism shape, but does not specifically teach said pattern having a rounded corner. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the concavo-convex pattern to have a rounded corner, since it has been held to be within the general skill of a worker that mere change of form or shape of an invention involves only routine skill in the art. *Span-Deck Inc. v. Fab-Con, Inc.* (CA 8, 1982) 215USPQ 835. In this case, providing a rounded corner would produce a different or desired optical effect.

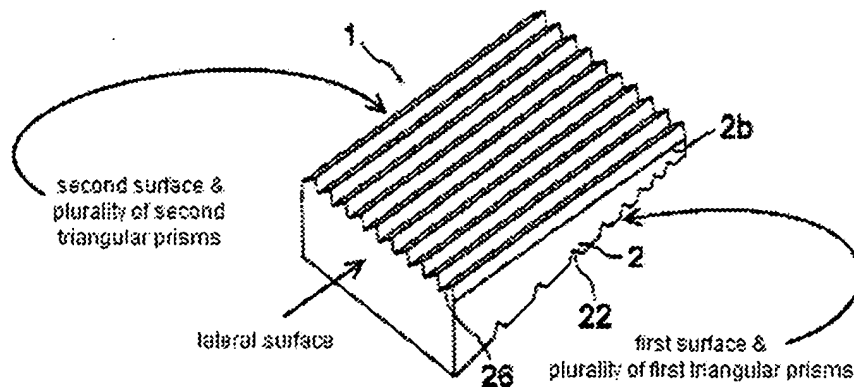
It also would have been obvious to one ordinarily skilled in the art at the time of invention to modify the plurality of first triangular prisms of Kohara to incorporate the first and second prism surfaces with various concavo-convex patterns, as taught by Large, in order to provide appropriate diffusion/diffraction over a wide range of viewing and illumination angles [see Abstract of Large].

20. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kohara et al. (U.S. Patent 6,633,722 B1) in view of Katsu et al. (U.S. Patent 6,692,133 B2).

Kohara discloses a light guide plate including:

- A first surface [Figures 9-11] having a first light control pattern [Figures 9-11: (22)], whereby the first pattern has a plurality of first prisms aligned in a row to a first direction and the plurality of prisms having a first triangular cross-sectional shape [Figure 3];





- A second surface [Figures 9-11] having a second light control pattern [Figures 9-11: (26, 261)], whereby the second pattern has a plurality of second prisms aligned in a row to a second direction and the plurality of second prisms having a second triangular cross-sectional shape [Figure 10];
- Wherein the first surface faces the second surface [Figures 9-11]; and
- Wherein the first triangular cross-sectional shape has a first vertex angle [Figure 3; Column 16, Lines 5-21] that is different from a second vertex angle [Figure 10; Column 22, Lines 13-14] of the second cross-sectional shape.

Kohara does not specifically teach a liquid crystal display including a liquid crystal display panel, a backlight assembly incorporating the light guide, and a module that accommodates the liquid display panel and the backlight assembly.

Katsu teaches a liquid crystal display including a module [Figure 1: (11, 17)] that accommodates a liquid crystal display panel [Figure 1: (13)] and a backlight assembly [Figure 1: (10)].

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate the light guide of Kohara within the liquid crystal display and

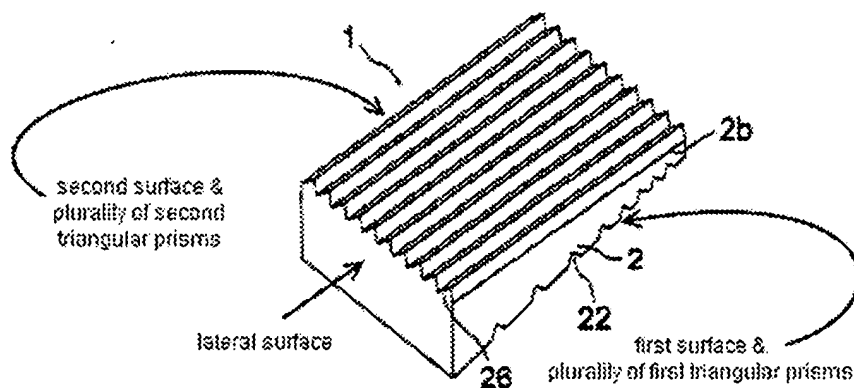
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module of Katsu in order to provide a robust and illumination efficient LCD package that houses and protects the various components (i.e., LCD panel, backlight assembly) [See Kohara: Column 1, Lines 7-9].

21. Claims 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohara et al. (U.S. Patent 6,633,722 B1) in view of Katsu et al. (U.S. Patent 6,692,133 B2).

22. With regards to Claim 28, Kohara discloses a light guide plate including:

- A first surface [Figures 9-11] having a first prism pattern [Figures 9-11: (22)], whereby the first prism pattern has a plurality of first prisms aligned in a row to a first direction and the plurality of prisms having a first triangular cross-sectional shape [Figure 3];



- A second surface [Figures 9-11] having a second prism pattern [Figures 9-11: (26, 261)], whereby the second prism pattern has a plurality of second prisms aligned in a row to a second direction and the plurality of second prisms having a second triangular cross-sectional shape [Figure 10];
- Wherein the first surface faces the second surface [Figures 9-11]; and

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- Wherein the first triangular cross-sectional shape has a first vertex angle [Figure 3; Column 16, Lines 5-21] that is different from a second vertex angle [Figure 10; Column 22, Lines 13-14] of the second cross-sectional shape.

Kohara does not specifically teach a liquid crystal display including a liquid crystal display panel, a backlight assembly incorporating the light guide, and a module that accommodates the liquid display panel and the backlight assembly.

Katsu teaches a liquid crystal display including a module [Figure 1: (11, 17)] that accommodates a liquid crystal display panel [Figure 1: (13)] and a backlight assembly [Figure 1: (10)].

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate the light guide of Kohara within the liquid crystal display and module of Katsu in order to provide a robust and illumination efficient LCD package that houses and protects the various components (i.e., LCD panel, backlight assembly) [See Kohara: Column 1, Lines 7-9].

23. With regards to Claim 39, Kohara in view of Katsu discloses the claimed invention as cited above. In addition, Kohara teaches the first vertex angle ranging from about 100 degrees to about 120 degrees [Column 16, Lines 5-21].

24. With regards to Claim 40, Kohara in view of Katsu discloses the claimed invention as cited above. In addition, Kohara teaches the second vertex angle ranging from about 120 degrees to about 140 degrees [Column 22, Lines 13-14].

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25. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kohara et al. (U.S. Patent 6,633,722 B1) in view of Katsu et al. (U.S. Patent 6,692,133 B2) as applied to Claim 38, and further in view of Large (U.S. Patent 6,043,936).

Kohara in view of Katsu discloses the claimed invention as cited above, but does not specifically teach the plurality of first prisms having a first prism surface and a second prism surface, wherein the first prism surface and the second prism surface includes a concavo-convex pattern.

Large teaches a light guide plate having a plurality of first prisms [Figure 1: (2)] including first and second prism surfaces [Figures 1&4: (5)] with concavo-convex patterns. In addition, Large teaches the concavo-convex pattern being a triangular prism shape, but does not specifically teach said pattern having a rounded corner. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the concavo-convex pattern to have a rounded corner, since it has been held to be within the general skill of a worker that mere change of form or shape of an invention involves only routine skill in the art. *Span-Deck Inc. c. Fab-Con, Inc.* (CA 8, 1982) 215USPQ 835. In this case, providing a rounded corner would produce a different or desired optical effect.

It also would have been obvious to one ordinarily skilled in the art at the time of invention to modify the plurality of first triangular prisms of Kohara in view of Katsu to incorporate the first and second prism surfaces with various concavo-convex patterns, as taught by Large, in order to provide appropriate diffusion/diffraction over a wide range of viewing and illumination angles [see Abstract of Large].

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Han whose telephone number is (571) 272-2207. The examiner can normally be reached on 8:00am-5:00pm.

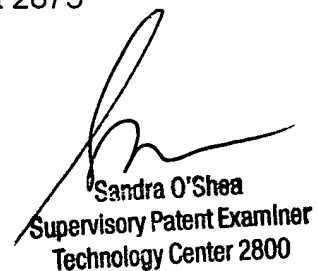
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason M Han  
Examiner  
Art Unit 2875

JMH (6/10/2006)



Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800